

MEMORANDUM ENDORSED

July 31, 2023

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By ECF

The Honorable Gregory H. Woods
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 1920
New York, New York 10007

Re: *U.S. Bank, National Association et al. v. The Charitable Donor Advised Fund et al.*,
1:21-CV-11059-GHW (S.D.N.Y.)

Dear Judge Woods:

Pursuant to Rule 1(E) of Your Honor's Individual Rules of Practice, we write on behalf of Plaintiffs Joshua N. Terry ("Mr. Terry"), and Acis Capital Management, L.P. ("ACM," and, collectively, with Mr. Terry, the "ACM Parties") and Highland CLO Funding, Ltd. ("HCLOF") to request an adjournment of the conference with respect to HCLOF's request to stay discovery pending the briefing and resolution of HCLOF's forthcoming motion to dismiss, which is currently scheduled for Tuesday, August 1 at 3:00 p.m., Dkt. 167 (the "Hearing").

The ACM Parties' counsel and HCLOF's counsel unfortunately cannot attend the Hearing due to an immovable conflict involving travel to California for another case. Counsel for the other parties have represented that they do not object to the adjournment request. The parties have conferred and are available on the following date:

- Thursday, August 3 at any time after 1:00 p.m.

If that date is not acceptable to the Court, the parties can provide additional dates. This is the ACM Parties' and HCLOF's first request for an adjournment of the Hearing.

We appreciate the Court's consideration of this request.

Respectfully submitted,

/s/ Blair Adams

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/s/ Uri Itkin

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cc: Counsel of Record (via ECF)

Application granted. The teleconference scheduled for August 1, 2023 is adjourned to August 3, 2023 at 2:00 p.m.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 168.

SO ORDERED.

Dated: August 1, 2023
New York, New York



GREGORY H. WOODS
United States District Judge